Remarks

The above-referenced application has been reviewed in light of the Examiner's Office Action dated April 22, 2004. Claims 1-39 are currently pending in this application. The Examiner's reconsideration of the rejections in view of the above amendments and the following remarks is respectfully requested.

In accordance with the office action, Claims 1-16 and 33-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,809,247 to Richardson et al. ("the '247 reference") in view of U.S. Patent No. 6,484,156 B1 to Gupta et al. ("the '156 reference"). Applicants' respectfully submit that Claims 1, 10 and 33 are not rendered obvious by the cited references for the reasons set forth below.

As a preliminary matter, it is noted that dependent Claim 38 depends from independent Claim 17. Therefore, as mentioned in Applicant's prior amendment, the inclusion of dependent Claim 38 in the present §103(a) rejection is improper.

The presently amended application is a continuation-in-part of U.S. Patent No. 6,105,055 entitled "METHOD AND APPARATUS FOR ASYNCHRONOUS MULTIMEDIA COLLABORATION" to Arturo Pizano, et al., which was filed on March 13, 1998 and issued on August 15, 2000. The '055 patent is assigned to the same assignee as the present invention. The parent patent to current co-inventor Arturo Pizano, et al., is generally directed towards multimedia collaboration including "a dynamic annotation editor which enables the use of synchronized voice, graphics and mouse gestures" (Pizano at Abstract).

"The dynamic annotation editor 14 enables the use of synchronized voice, graphics, and mouse gestures in the discussion. The dynamic annotation editor 14 supports recording and playback of the annotations as well as editing and annotation-on-annotation. It interacts through the newsgroup reader 26 with the newsgroup server 20 to which it sends an abbreviated version of the user contribution. The dynamic annotation editor 14 also interacts with the delayed conference manager 18 to which it sends the annotation data via a message handled by the email server 16. The annotation editor 14 could be a stand-alone tool activated by the user from the computer desktop or through the email reader 26" (Pizano at Detailed Description, 2nd paragraph).

"The central concept in the system is that of a delayed conference. A delayed conference consists of one or more messages, some of which may contain dynamic annotations" (Pizano at Detailed Description, 3rd paragraph).

The Examiner has cited U.S. Patent No. 6,484,156 B1 to Gupta et al. ("the '156 reference") to support the feature of playing back synchronized annotations in multiple documents. The messages of Pizano et al. may comprise hypermedia documents. The '055 patent to Pizano et al. issued from an application filed on March 13, 1998, while the '156 patent to Gupta et al. claimed priority to a provisional patent application filed on September 15, 1998. Accordingly, the present application has priority for this feature by means of the feature's disclosure in the parent Pizano patent, which acts to remove the Gupta et al. reference as an available prior art reference for the feature under 35 U.S.C. §103(a).

The Examiner has indicated that Claims 1-16 and 33-39 are rendered obvious by the '247 patent to Richardson et al in view of the '156 patent to Gupta et al. The '156 patent to Gupta et al. has been removed as a reference for the purposes of the recited feature under 35 U.S.C. §103(a).

It is respectfully submitted that Richardson's disclosure does not teach or suggest playing dynamic annotations from hypermedia documents "while maintaining synchronized playback of said at least one annotation in ones of said hypermedia documents with said at least one annotation in others of said hypermedia documents" as recited in each of independent Claims 1, 10 and 33.

Thus, on the issue of 'synchronized playback', there is a distinct difference between Richardson's teaching and that of Applicants' presently claimed invention. According to Richardson et al., a stop vector specifies that a tour should go to a particular web site, and once that web site is loaded, a particular media component (audio/video or animation) should be rendered. This is what Richardson means by synchronization.

In contrast, synchronization as defined according to Applicants' presently recited claims comprises much more. The present disclosure does teach that a web site should be loaded, and once loaded, media rendering should begin. In significant addition, the media rendering itself involves synchronization in the presently claimed invention of Claims 1, 10 and 33, where the media includes a dynamic annotation in each hypermedia document that is synchronizable with a dynamic annotation in another hypermedia

document. Thus, for example, graphics rendering is synchronized with audio playback in embodiments of the present disclosure where each of these hypermedia documents uses a synchronizable dynamic annotation.

Accordingly, the element of "a playing system for playing said dynamic annotations that have been distributed by the distribution system, said playing system enabling loading of multiple ones of said hypermedia documents each comprising at least one of said annotations *while maintaining synchronized playback of said at least one annotation in ones of said hypermedia documents with said at least one annotation in others of said hypermedia documents*" as recited in independent Claim 1, or similarly recited in independent Claims 10 and 33, is neither taught nor suggested by Richardson et al. Thus, this element in combination with other recited elements of Claims 1, 10 and 33 render said Claims novel and non-obvious over the teachings of the '247 patent to Richardson et al. as well as over the other prior art references of record in this case.

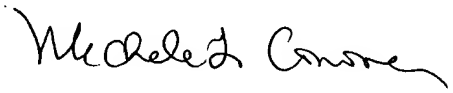
Therefore, it is respectfully submitted that independent Claims 1, 10 and 33 are each in condition for allowance for at least the reasons stated above. Since each of the dependent Claims 2-9, 11-16, 34-37 and 39 depend from one of the above Claims and necessarily include each of the elements and limitations thereof, it is respectfully submitted that these Claims are also in condition for allowance for at least the reasons stated, and for reciting additional patentable subject matter.

In accordance with the office action, Claims 17-32 are indicated as allowed in the Office Action Summary, but indicated as rejected under 35 U.S.C. §112, second paragraph, in the Office Action text (Office Action at 5, numbered paragraph 5). There is no specific recitation of a §112 rejection in either the present or the immediately preceding Office Action. It is noted that a §112 rejection was made in the Office Action dated December 12, 2002, but addressed in the next Amendment that followed. In addition, the Office Action dated October 7, 2003 specifically withdrew the §112 rejection (10/7/03 Office Action at 2, numbered paragraph 3), and allowed the pertinent Claims (10/7/03 Office Action at 2, numbered paragraph 6). Previously added Claim 38 depends from independent Claim 17. Therefore, it is respectfully submitted that all §112, second paragraph, rejections have been overcome and that each of Claims 17-32 and 38 is allowed and/or in condition for allowance.

Conclusion

All rejections of Claims 17-32 have been previously overcome and these Claims are allowed and/or in condition for allowance. Claim 38 depends from Claim 17 and is therefore in condition for allowance. Claims 1-16, 33-37 and 39 were rejected based upon a reference unavailable for the recited feature, and are therefore in condition for allowance. All issues raised by the Examiner having been addressed, reconsideration of the rejections and an early and favorable allowance of this case are earnestly solicited.

Respectfully submitted,



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